

Municipal Clerk  
Atlanta, Georgia

03-0-0552

**A SUBSTITUTE ORDINANCE  
BY THE COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE**

**UEZ-03-02**

**A SUBSTITUTE ORDINANCE TO CREATE THE "HOLLYWOOD WEST APARTMENTS HOUSING ENTERPRISE ZONE", TO BE LOCATED AT 1033 HOLLYWOOD ROAD, N.W., AND FOR OTHER PURPOSES.**

**NPU "G"**

**COUNCIL DISTRICT 9**

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**WHEREAS** an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

**WHEREAS** enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

**WHEREAS** the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta the authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

**WHEREAS** the designation of a housing enterprise zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property that is exempted by the City; and

**WHEREAS** certain types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period, and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

**WHEREAS** State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

**WHEREAS** the City of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

**WHEREAS** it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for commercial construction and job creation purposes; and

**WHEREAS** the conditions and qualifications of the Atlanta/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of the proposed "Hollywood West Apartments Housing Enterprise Zone";

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,  
HEREBY ORDAINS AS FOLLOWS:**

**Section 1:** It is found by the Council of the City of Atlanta that the area in and around the property that would be designated as the "Hollywood West Apartments Housing Enterprise Zone" is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare, and morals. It is further found that these areas, as is the case with the property that would be designated as the "Hollywood West Apartments Housing Enterprise Zone", are characterized by having no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the employment of those residents in those economically- and socially-depressed areas designated herein as urban enterprise zones.

**Section 2:** The "Hollywood West Apartments Housing Enterprise Zone" is hereby created for the subject property at 1033 Hollywood Road, N.W., which represents property parcel code number (PCN) 17-0248-LL-087-4. The effective date of all exemptions established therein shall be January 1, 2004. The "Hollywood West Apartments Housing Enterprise Zone" shall be abolished on December 31, 2013. The "Hollywood West Apartments Housing Enterprise Zone" shall otherwise not be abolished except as provided in State law. A legal description and map of the "Hollywood West Apartments Enterprise Zone" are attached hereto as Exhibit "A", are made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

**Section 3.** The "Hollywood West Apartments Housing Enterprise Zone" shall be developed as a residential development project, which shall consist of the rehabilitation of the existing Hollywood West Apartments, which contains 80 apartment units.

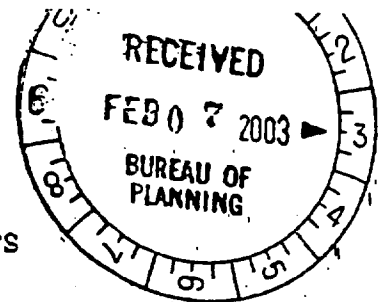
**Section 4.** The development of the "Hollywood West Apartments Housing Enterprise Zone" shall meet or exceed the "housing affordability requirements" for urban enterprise zone designation, which are defined as follows, per City Code Section 146-52(2)b1: Twenty percent (20%) of the total units to be provided, and ten percent (10%) of the units in each housing type and bedroom composition, shall be within the ability to pay of those households whose annual income does not exceed sixty percent (60%) of the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development (HUD), and as adjusted for household size in accordance with HUD procedures. The "Hollywood West Apartments Housing Enterprise Zone" shall consist of the following breakdown of affordable housing units: all of the proposed 80 total units (100%); all of the proposed 20 one-bedroom units (100%); all of the proposed 44 two-bedroom units (100%); and all of the proposed 16 three-bedroom units (100%).

**Section 5:** The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the "Hollywood West Apartments Housing Enterprise Zone" to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon the approval by the Mayor of the City of Atlanta.

**Section 6:** That all ordinances and parts of ordinances that are in conflict herewith are hereby repealed.

UE2-03-02

EXHIBIT "A"



LAND DESCRIPTION - HOLLYWOOD WEST APARTMENTS

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 248 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

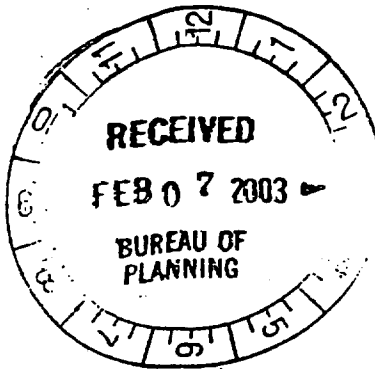
To locate the POINT OF BEGINNING, COMMENCE at a one-inch crimp top pipe at the intersection of the northeasterly right-of-way line of Hollywood Road (40-foot right-of-way) and the northwesterly right-of-way line of Hollywood Drive (30-foot right-of-way); proceed thence along said northeasterly Hollywood Road right-of-way line (as measured in a chord) North 55 degrees 00 minutes 27 seconds West 163.66 feet to a one-inch crimp top pipe, said point being the POINT OF BEGINNING; from said POINT OF BEGINNING PROCEED THENCE along said northeasterly right-of-way line of Hollywood Road along a curve to the right an arc distance of 37.43 feet, said curve having a radius of 915.88 feet and a chord of 37.43 feet bearing North 49 degrees 02 minutes 38 seconds West to a 1/2-inch rebar; thence leaving said Hollywood Road right-of-way line North 35 degrees 47 minutes 57 seconds East 210.60 feet to a 1/2-inch rebar; thence along a non-tangent curve to the left an arc distance of 78.21 feet, said curve having a radius of 286.48 feet and a chord of 77.97 feet bearing North 05 degrees 56 minutes 50 seconds East to a 5/8-inch rebar; thence North 02 degrees 47 minutes 37 seconds East 16.32 feet to a 5/8-inch rebar; thence North 78 degrees 15 minutes 39 seconds West 18.82 feet to a one-inch open top pipe; thence North 05 degrees 29 minutes 33 seconds West 302.20 feet to a 1/2-inch rebar; thence North 73 degrees 21 minutes 27 seconds East 25.00 feet to a 1/2-inch rebar; thence along a non-tangent curve to the right an arc distance of 295.68 feet, said curve having a radius of 954.93 feet and a chord of 294.50 feet bearing North 10 degrees 48 minutes 06 seconds East to a 1/2-inch rebar; thence along a non-tangent curve to the left an arc distance of 177.53 feet, said curve having a radius of 286.48 feet and a chord of 174.70 feet bearing North 03 degrees 38 minutes 36 seconds West to a nail in asphalt driveway; thence North 89 degrees 15 minutes 05 seconds West 190.30 feet to a 5/8-inch rebar; thence North 14 degrees 35 minutes 55 seconds West 390.91 feet to a 5/8-inch rebar; thence North 16 degrees 38 minutes 04 seconds West 108.26 feet to a one-inch crimp top pipe; thence North 14 degrees 27 minutes 58 seconds West 70.55 feet to a 1/2-inch rebar; thence South 87 degrees 12 minutes 15 seconds East 118.00 feet to a point; thence North 80 degrees 34 minutes 28 seconds East 193.90 feet to a 1/2-inch rebar; thence South 08 degrees 08 minutes 01 seconds East 60.00 feet to a one-inch open top pipe; thence South 26 degrees 02 minutes 06 seconds East 160.72 feet to a one-inch open top pipe; thence South 26 degrees 36 minutes 27 seconds East 60.29 feet to a 1/2-inch rebar; thence South 26 degrees 54 minutes 55 seconds East 60.39 feet to a one-inch open top pipe; thence North 74 degrees 36 minutes 21 seconds East 5.06 feet to a 1/2-inch rebar; thence South 28 degrees 08 minutes 54 seconds East 59.66 feet to a 1/2-inch rebar; thence South 20 degrees 43 minutes 50 seconds East 176.88 feet to a 1/2-inch rebar; thence South 67 degrees 19 minutes 05 seconds West 115.00 feet to a 1/2-inch rebar; thence South 89 degrees 15 minutes 05 seconds West 45.00 feet to 1/2-inch rebar; thence following a non-tangent curve to the right an arc distance of 193.29 feet, said curve having a radius of 286.48 feet and a chord of 189.64 feet bearing

(Continued)

UEZ-03-02

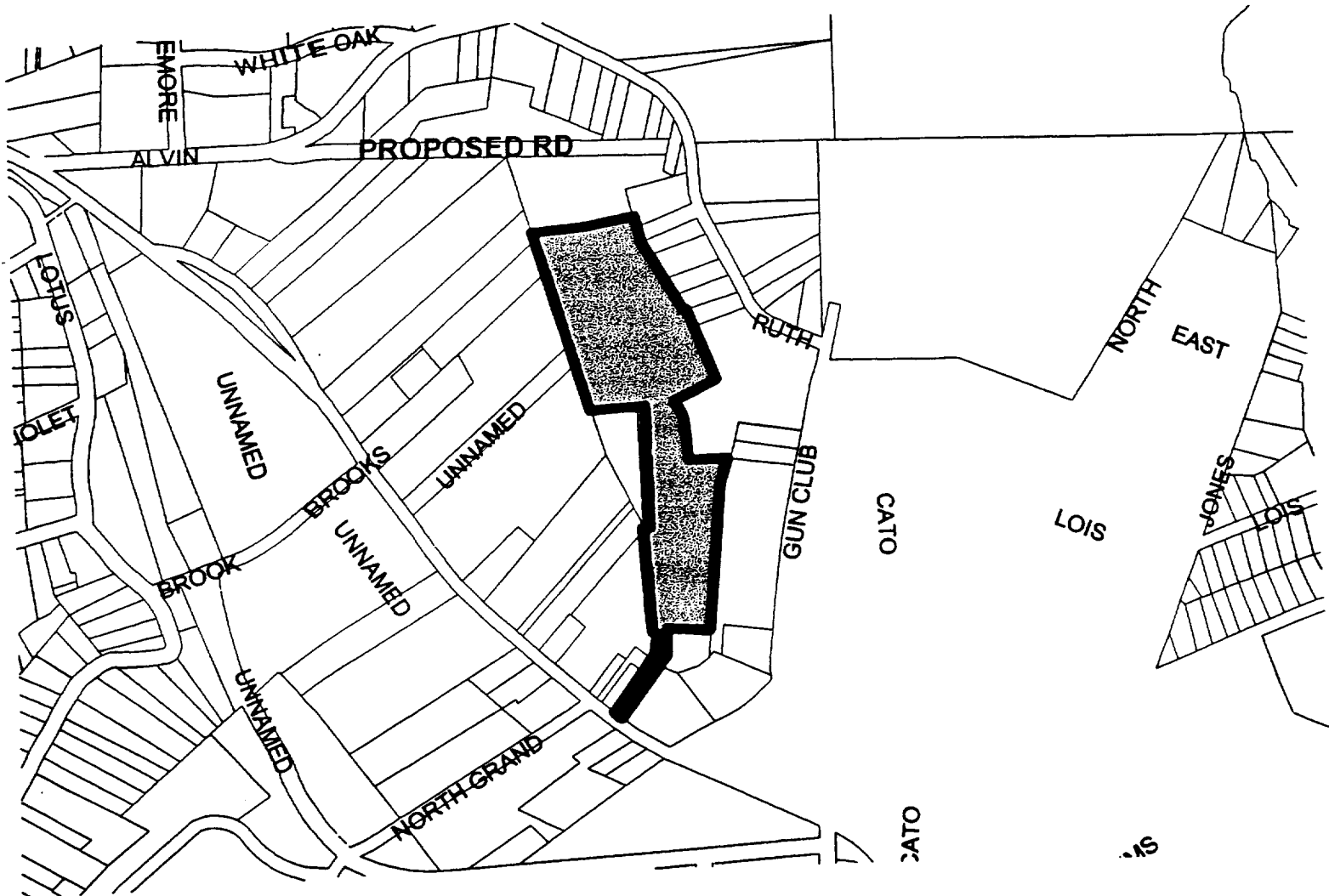
EXHIBIT "A"—Continued

South 06 degrees 21 minutes 06 seconds East to a 1/2-inch rebar; thence South 77 degrees 13 minutes 57 seconds East 180.30 feet to a 1/2-inch rebar; thence South 13 degrees 52 minutes 26 seconds West 76.30 feet to a 5/8-inch rebar; thence South 11 degrees 34 minutes 07 seconds West 175.32 feet to a one-inch open top pipe; thence South 07 degrees 54 minutes 41 seconds West 341.39 feet to a 1/2-inch rebar; thence North 82 degrees 05 minutes 14 seconds West 132.01 feet to a nail in concrete sidewalk; thence following a non-tangent curve to the right an arc distance of 99.99 feet, said curve having a radius of 286.48 feet and a chord of 99.49 feet bearing South 13 degrees 04 minutes 34 seconds West to a 1/2-inch rebar; thence South 33 degrees 55 minutes 52 seconds East 210.01 feet to a one-inch crimp top pipe on the northeasterly right-of-way line of Hollywood Road being the POINT OF BEGINNING, said tract containing 8.2106 acres, more or less.



# HOLLYWOOD WEST APARTMENTS HOUSING ENTERPRISE ZONE

1033 HOLLYWOOD RD, NW. DIST. 17,  
LAND LOT 248. COUNCIL DIST. 9, NPU - G



**UEZ - 03 - 02**



— Npu-g-streets.shp  
□ Npu-g-parcels.shp

**PROJECT CHECKLIST FOR UEZ-03-02:**  
**Proposed "Hollywood West Apartments Housing Enterprise Zone"**  
**To be Located at 1033 Hollywood Road, N.W.**

CRITERION	REQUIRED	PROPOSED	COMPLIANCE
<b>1. Eligibility Criteria:</b>	<b><u>Must meet 3 of the 4 Criteria:</u></b>		
a. Evidence of Pervasive Poverty	a. Poverty rate of $\geq 20\%$ for the Census Block Group.	a. Poverty rate of 60.3% for Census Block Group 1 of Census Tract 86.01, which exceeds the required minimum of 20%.	√
b. Unemployment	b. Unemployment:  (1) Census Tract having at least 10% higher than the State Average;  OR  (2) Significant Job Loss, to be documented by the applicant.	b. Unemployment:  (1) Census Block Group 1 of Census Tract 86.01 has an unemployment rate of 7.7%, which is more than 10% higher than the State Average of 4%.  (2)	√
c. General Distress	c. General Distress:  (1) Police Beat crime rate of $\geq 20\%$ compared to the Police Zone;  OR  (2) Vacant and/or Dilapidated Structures, or Deteriorated Infrastructure, based on documented proof of existing abandoned and/or dilapidated structures within one block of the project area, or deteriorated infrastructure.	c. General Distress:  (1) Police Beat 108 has a crime rate of 24%, which is greater than that of Police Zone 1.  (2)	√
d. Underdevelopment	d. Underdevelopment: The NPU has $\leq 20\%$ of the amount of Development Activity compared to the City as a whole for the proposed type of development.	d. Underdevelopment: NPU "G" has -26% of development activity within the City for residential development, which exceeds the requirement of $\leq 20\%$ .	√

CRITERION	REQUIRED	PROPOSED	COMPLIANCE
2. Acreage	None.	Contains 8.7094 acres of land.	√
3. CDP Consistency	CDP Land Use Classification: Designated as "Medium-Density Residential." Allowed F.A.R.: 0.350 to 0.699.	Proposed FAR: 0.16. FAR is not applicable to this project since the existing buildings would remain after renovation, and no new buildings would be constructed.	√
4. Zoning Compliance	Zoned "RG-3" (Residential-General—Sector 3).	Proposed use is allowed within "RG-3."	√
5. Project Specificity	Project-Specific Zone or Areawide Zone.	Project-Specific.	√
6. Project Readiness	≥ 30% of housing units to be initiated in Year 1 of the UEZ.	24 units/30% of the total 80 units.	√
7. Non-Displacement	Minimum Displacement	Applicant has submitted a relocation plan.	√
8. Affordability	Twenty percent (20%) of the total units to be provided, and ten percent (10%) of the units in each housing type and bedroom composition, shall be within the ability to pay of those households whose annual income does not exceed sixty percent (60%) of the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development (HUD), and as adjusted for household size in accordance with HUD procedures.	Project would include the following breakdown of affordable housing units, which meets the requirements for urban enterprise zone designation:  All of the 80 total units (100%); all of the 20 one-bedroom units (100%); all of the 44 two-bedroom units (100%); and all of the 16 three-bedroom units (100%).	√
9. Provision for Atlanta Police officers and their families (Housing and Mixed-Use Residential/ Commercial Enterprise Zones)	5% of available units to be offered to Atlanta Police officers and their families at purchase prices or monthly rents which do not exceed the low-income level of affordability.	Applicant certifies compliance.	√
10. Job Creation	First Source Jobs Policy	Would not create any new fulltime, permanent new jobs.	√

CRITERION	REQUIRED	PROPOSED	COMPLIANCE
11. Financial Feasibility	<u>Chief Financial Officer's Statement of Fiscal Impact:</u> a. Negative cash flow; OR b. Debt coverage ratio <1.20; OR c. A variable-ratio debt coverage ratio that is equivalent to said fixed-rate ratio, based upon reasonable assumptions as certified.	Proposed development project would have a negative cash flow and a debt coverage ratio of <1.20.	√





## CITY OF ATLANTA

SHIRLEY FRANKLIN  
MAYOR

55 TRINITY AVENUE, SW, SUITE 3350  
ATLANTA, GEORGIA 30335-0308  
(404) 330-6145 - FAX (404) 658-7491  
Internet Home Page:  
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DEPARTMENT OF  
PLANNING AND  
COMMUNITY DEVELOPMENT

CHARLES C. GRAVES, III  
COMMISSIONER

BEVERLEY DOCKERAY-OJO  
INTERIM DIRECTOR  
BUREAU OF PLANNING

February 21, 2003

Ms. Valerie Calloway, Senior Vice President  
Russell New Urban Development, LLC  
504 Fair Street  
Atlanta, Georgia 30313

Dear Ms. Calloway:

This letter serves as notification of several matters pertaining to the urban enterprise zone application that you recently submitted to us as part of Cycle I, 2003.

**Receipt of the UEZ Application.** We received your Urban Enterprise Zone (UEZ) application for property that is located at 1033 Hollywood Road, NW. You have proposed the creation of the "Hollywood West Apartments Housing Enterprise Zone" for the subject property. Your application was assigned the case number of UEZ-03-02. We are reviewing it for completeness and accuracy, and will be contacting you soon by telephone concerning any additional information or clarification that we need.

**Completion of the UEZ Eligibility Analysis.** Meanwhile, we have completed the UEZ eligibility analysis for the subject property, as attached. We are pleased to inform you that we have determined that the subject property IS ELIGIBLE for urban enterprise zone designation.

**Required NPU Meeting.** As part of the UEZ designation process, you are required to attend a Neighborhood Planning Unit (NPU) meeting. Your property is located in NPU "G", which holds monthly meetings at the English Park Recreation Center at 1340 Bolton Road, NW. We are scheduling your UEZ case for the NPU "G" meeting to be held on Thursday, March 20, 2003, beginning at 7:00 p.m. Please attend this meeting (or send a designee) and make a presentation of your application. The NPU "G" members will vote on your application, with such vote serving as a recommendation to City Council. Please note that it is possible that NPU "G" members may request that you also attend one or more neighborhood association meetings before or after the NPU "G" meeting. Please contact the NPU "G" Zoning Contact, Ardell White, immediately at (404) 794-8627 concerning this.

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**Required Public Hearing & Optional Committee Meeting.** The second required meeting is the public hearing to be conducted by the City's Community Development/Human Resources (CD/HR) Committee on Monday, May 12, 2003. The public hearing will be held in the City Hall Council Chambers on the Second Floor of City Hall (at 55 Trinity Avenue), beginning at 6:00 p.m. Please be prepared make a presentation about your UEZ application and to answer any questions at the public hearing. We encourage you to also attend the CD/HR Committee meeting to be held the following day, on Tuesday, May 13, 2003, where the CD/HR Committee will vote on your application and make a recommendation to the full City Council. That meeting will be held in Committee Room #2 on the Second Floor of City Hall (55 Trinity Avenue), beginning at 1:00 p.m.

**Creation of the Urban Enterprise Zone.** Provided that no deferrals have occurred, the full City Council will then vote on your case at its regular meeting on May 19, 2003. If the City Council votes to approve your case, the Mayor then is allowed up to eight days in which to sign the ordinance for the creation of your proposed urban enterprise zone. Thereafter, the ordinance becomes law, with or without the Mayor's signature. The new urban enterprise zone would exist for ten years. You are cautioned that no building construction or renovation activity may begin before the ordinance to create your proposed urban enterprise zone has been adopted. However, pre-construction activities, such as demolition, clearance, and infrastructure installation, are allowed.

**UEZ Tax Abatements.** Your urban enterprise zone tax abatement would begin on January 1, 2004, such that 2004 is the first year in which the property can receive tax abatements on new or renovated improvements. The condition for the receipt of this tax abatement, you may recall, is that the construction or renovation of at least 30 percent of all proposed housing units on the property must be underway by December 31, 2004. Tax abatements are made on the new improvements or new renovations only, at 100 percent for the first five years. Thereafter, the tax abatements are 80 percent for Years 6 & 7, 60 percent for Year 8, 40 percent for Year 9, and 20 percent for Year 10. Some restrictions apply.

Thank you for participating in the Urban Enterprise Zone Program. If you have questions regarding any of these matters, please contact me at (404) 330-6637. For further information concerning the NPU meeting, you may contact the NPU Coordinator, Valerie Bell-Smith, at (404) 330-6899.

Sincerely,



Linda M. Logan, AICP  
Principal Planner  
Bureau of Planning

/lml/Attachment

xc: Charles Graves, Commissioner  
Beverley Dockeray-Ojo, Interim Director  
Sara Wade Hicks, Assistant Director



# CITY OF ATLANTA

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MAYOR

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February 21, 2003

BEVERLEY DOCKERAY-OJO  
INTERIM DIRECTOR  
BUREAU OF PLANNING

Ms. Valerie Calloway, Senior Vice President  
Russell New Urban Development, LLC  
504 Fair Street  
Atlanta, Georgia 30313

Dear Ms. Calloway:

Presented below is the Urban Enterprise Zone (UEZ) Eligibility Analysis for your UEZ application. This analysis is based on demographic data for 2002. Please contact me at (404) 330-6637 with any questions that you might have.

*Linda M. Logan*

Linda M. Logan, AICP, Principal Planner

## PROPERTY IDENTIFICATION DATA

Address: 1033 Hollywood Road, NW	PCN: 17-0248-LL087
Census Tract: 86.01	District/Land Lot: 17/248 NPU: "G" Council District: 9
Case Number: UEZ-03-02	Proposed UEZ Name: "Hollywood West Apartments Housing Enterprise Zone"

## U.E.Z. ELIGIBILITY ANALYSIS

REQUIRED CRITERION	UNIT(S) OF MEASURE*	U.E.Z. FINDING(S) AND CONCLUSIONS**
1. Evidence of Pervasive Poverty: $\geq 20\%$ .	Census Tract: 86.01. Census Block Group: 1.	Poverty Rate is 60.3% ( $> 20\%$ ). <b>Meets this criterion.</b>
2. Unemployment: a. At least 10% higher than the State Average; OR b. Significant Job Loss.	a. Percentage for the Census Tract: 7.7%. b. Documentation from the applicant.	a. Unemployment Rate is at least 10% higher than the State Average. b. Significant Job Loss is undetermined. <b>Meets this criterion.</b>
3. General Distress: a. High Crime (Police Beat crime rate of $\geq 20\%$ compared to the Police Zone); OR b. Existing abandoned and/or dilapidated structures within one block of the project area, or deteriorated infrastructure.	a. Police Beat/Zone: 108/1 Crime Rate: 24%. OR b. Documentation (such as photographs) from the applicant.	a. Police Beat/Zone meets the high crime requirement. b. Presence of abandoned and/or dilapidated structures within one block of the project area, or deteriorated infrastructure, is undetermined. <b>Meets this criterion.</b>
4. Underdevelopment: $\leq 20\%$ of Development Activity Within the City.	NPU: "G" Percentage Within the NPU: -26% Res./+2% Non-Res.	The NPU has $\leq 20\%$ of development activity within the City. <b>Meet this criterion.</b>
<b>RESULT OF THE ANALYSIS: THE PROPERTY IS <input checked="" type="checkbox"/> IS NOT <input type="checkbox"/> COULD BE <input type="checkbox"/> ELIGIBLE</b>		

\*Source of utilized eligibility data: 2002 Database.

\*\*To be eligible for enterprise zone designation, a property shall be located within an area that meets three of the four listed criteria: poverty, unemployment, general distress, and underdevelopment.